

“Date”

Ms. Ashley E. Bass
Cashe Coudrain & Bass
Attorneys at Law
Post Office Drawer 1509
Hammond, Louisiana 70404

RE: Ethics Board Docket No. 2021-722

Dear Ms. Bass:

The Louisiana Board of Ethics, at its October 8, 2021 meeting, considered your request for an advisory opinion relative to whether Karl Shulz, a teacher of the Robotics Program at Hammond High Magnet School, can continue in his employment and apply for a full time teaching position after marrying April Gaydos, daughter of Shelly Gaydos, who serves as Principal of Hammond High Magnet School.

FACTS PROVIDED

You provided that Karl Shulz, a mechanical engineer and certified teacher, has been teaching the Robotics Program at Hammond High Magnet School since 2016. You stated that Mr. Shulz receives compensation from LSU for his work provided to the high school. You stated that Shelly Gaydos has been the Principal of Hammond High Magnet School since 2017. In February 2021, Karl Shulz married April Gaydos, daughter of Shelly Gaydos. You stated that Karl Shulz would like to become a full time teacher at Hammond High Magnet School. You questioned whether Karl Shulz can be hired as a full time teacher in a school where he has been serving as a teacher of the Robotics Program for five years prior to marrying the Principal's daughter?

LAW

La. R.S. 42:1119A prohibits a member of the immediate family of an agency head from being employed in his agency.

La. R.S. 42:1119C(2) provides that this Section shall not prohibit the continued employment of any public employee nor shall it be construed to hinder, alter, or in any way affect normal promotional advancements for such public employee where a member of public employees' immediate family becomes the agency head of such public employee's agency, provided such public employee has been employed in the agency for a period of at least one year prior to the member of the public employee's immediate family becoming the agency head

La. R.S. 42:1112B(1) prohibits a public servant from participating in a transaction involving the governmental entity in which, to his actual knowledge, any member of his immediate family has a substantial economic interest

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La. R.S. 42:1102(18)(a) defines “public employee” to mean anyone, whether compensated or not, who is: (iii) engaged in the performance of a governmental function, or (iv) under the supervision or authority of an elected official or another employee of the governmental entity.

CONCLUSION

The Board concluded and instructed me to inform you, that the Code of Governmental Ethics (Ethics Code) would not prohibit Karl Shulz from continuing his employment as a teacher of the Robotics Program nor would it prohibit him from applying for a full time teaching position. Mr. Shulz was performing a governmental function by teaching the Robotics Program for over five years, thus because he was employed for more than one year prior to his marriage to April Gaydos, he may continue with his employment as teacher of the Robotics Program as well as become a full time teacher at Hammond High Magnet School.

However, the Board further concluded and instructed me to inform you, that R.S. 42:1112 of the Ethics Code would prohibit Shelly Gaydos, as Principal of Hammond High Magnet School, from participating in a transaction involving the school and Karl Shulz after his marriage to April Gaydos. In order to prevent a violation of R.S. 42:1112 a disqualification plan should be submitted to the Board. Enclosed is a copy of Chapter 14 of the Rules for the Board of Ethics, which sets forth the required contents of the disqualification plan.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts presented may result in a different application of the provisions of the Code of Ethics. The Board issues no opinion as to past conduct or laws other than the Code of Governmental Ethics, the Campaign Finance Disclosure Act, the Lobbyist Disclosure Act, and conflict of interest provisions in the gaming laws. If you have any questions, please contact me at (225) 219-5600 or (800) 842-6630.

Sincerely,

LOUISIANA BOARD OF ETHICS

Gregory L. Thibodeaux
For the Board